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# City of Manistee Zoning Ordinance

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Article Eleven  
R-4 Manufactured  
Housing Community  
District

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Effective March 27, 2006  
As Amended thru  
December 28, 2011

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## ARTICLE ELEVEN

### R-4 – MANUFACTURED HOUSING COMMUNITY DISTRICT

#### SECTION 1100 PURPOSE AND INTENT

It is the intent of this District to establish a locale to accommodate manufactured housing communities as regulated by the Michigan Mobile Home Commission Act, Act 96 of the Public Acts of 1987, as amended, and the rules and regulations of the Manufactured Housing Commission.

##### PERMITTED USES

- ◆ Accessory building with footprint less than or equal to the footprint of the principal structure
- ◆ Accessory use to uses permitted by right.
- ◆ Community Garden, subject to [Section 534](#)
- ◆ Home Occupation, Minor subject to [Section 1847, B, 1.](#)
- ◆ Manufactured Housing Community, Subject to **Section 1104.**
- ◆ Outdoor Recreation, Park
- ◆ Subdivision, and condominium subdivision consisting of permitted uses, clustered or traditional subject to the Subdivision Control Ordinance.
- ◆ Use similar to uses permitted by right, subject to [Section 530](#)
- ◆ Wind Energy Conversion System, Accessory, subject to [Section 515.G](#)

[Annotation: Community Garden was added as a Permitted Use by Amendment Z11-06, effective 9/25/11]

[Annotation: Wind Energy Conversion System, Accessory was added as a Permitted Use by Amendment Z11-08, effective 12/28/11]

##### SPECIAL USES

- ◆ Accessory building with footprint greater than the footprint of the principal structure
- ◆ Accessory use to permitted special use
- ◆ Day Care, Group (7-12 children)
- ◆ Duplex
- ◆ Dwelling, Multiple Unit
- ◆ Dwelling, Single Unit
- ◆ Home Occupation, Major
- ◆ Mixed Use Development
- ◆ Planned Unit Development
- ◆ Use similar to permitted special use

[Annotation: Adaptive Reuse was Deleted as a Special Use by amendment 08-03, effective 2/29/08]

**ADDITIONAL STANDARDS FOR ALL USES OTHER THAN MANUFACTURED HOUSING COMMUNITIES**

- ◆ Site Plan requirements subject to [Section 2203](#)
- ◆ Vehicular Parking Space, Access and Lighting requirements subject to [Section 514](#).
- ◆ Landscaping requirements subject to [Section 531](#)
- ◆ Signage requirements subject to [Article 21](#)
- ◆ Outdoor Lighting requirements, subject to [Section 525](#)
- ◆ U.S. 31 Corridor Overlay District requirements, subject to [Article 19](#)

**DISTRICT REGULATIONS FOR ALL USES OTHER THAN MANUFACTURED HOUSING COMMUNITIES <sup>(d)</sup>**

Minimum Lot Area:		Minimum Lot Width:	
Single Unit	6,000 sq. ft.		60 ft.
Duplex, or Commercial Use	10,000 sq. ft.		80 ft.
Multiple Unit <sup>(a)</sup>	10,000 sq. ft. min.		80 ft.
<b>Maximum Dwelling Units/Acre</b>	8	<b>Max. Building Height</b>	2½ stories, or 35'
<b>Minimum Building Setbacks</b>		<b>Maximum Lot Coverage</b>	40%
Front <sup>(b)</sup>	15 ft.	<b>Minimum Living Area</b>	750 sq. ft.
Side	10 ft. (each side)	<b>Minimum Dwelling Width</b>	20 ft.
Rear <sup>(c)</sup>	10 ft.	<b>Accessory Building Minimum Setbacks:</b>	
Waterfront	20 ft.	Side	3 ft.
		Rear	3 ft. <sup>(c)</sup>

<sup>(a)</sup> For multiple unit buildings, a minimum of 10,000 square feet shall be provided, plus 2,000 square feet for each additional dwelling unit up to twenty (20), plus 2,500 square feet for each additional dwelling unit in excess of 20.

<sup>(b)</sup> Subject to [Section 502, G](#).

<sup>(c)</sup> Provided that garages fronting on platted alleys shall be set back the greater of 3 feet from the rear property line or 20 feet from property line on the opposite side of the alley.

<sup>(d)</sup> Except as may be permitted pursuant to [Section 1870](#), Planned Unit Development.

**SECTION 1101 USES PERMITTED BY RIGHT**

The following uses of buildings and land shall be permitted within the R-4 District subject to the provisions of [Article 22](#), Site Plan Approval.

- A. Accessory building with footprint less than or equal to the footprint of the principal structure
- B. Accessory use to uses permitted by right, subject to [Section 516](#)
- C. Community Garden, subject to [Section 534](#)
- D. Home Occupation, Minor, subject to [Section 1847, B, 1](#)

- E. Manufactured Housing Community, subject to **Section 1104**
- F. Outdoor Recreation, Park
- G. Subdivision, and condominium subdivision consisting of permitted uses, clustered or traditional subject to the Subdivision Control Ordinance
- H. Use similar to uses permitted by right, subject to [Section 530](#)
- I. Wind Energy Conversion System, Accessory, subject to [Section 515.G](#)

[Annotation: Community Garden was added as a Permitted Use by Amendment Z11-06, effective 9/25/11]

[Annotation: Wind Energy Conversion System, Accessory was added as a Permitted Use by Amendment Z11-08, effective 12/28/11]

## **SECTION 1102                      USES PERMITTED BY SPECIAL LAND USE PERMIT**

The following uses of buildings and land may be permitted within the R-4 District, as special land uses subject to the provisions of [Article 18](#), special land use approval.

- A. Accessory building with footprint greater than the footprint of the principal structure, subject to [Section 1804](#)
- B. Accessory use to permitted special use, subject to [Section 1805](#)
- C. Day Care, Group for 7 to 12 children, subject to [Section 1826](#)
- D. Duplex, subject to [Section 1829](#)
- E. Dwelling, Multiple Unit, subject to [Section 1832](#)
- F. Dwelling, Single Unit, subject to [Section 1834](#)
- G. Home Occupation, Major, subject to [Section 1847](#)
- H. Mixed Use Development, subject to [Section 1858](#)
- I. Planned Unit Development, subject to [Section 1870](#)
- J. Use similar to permitted special use, subject to [Section 1886](#)

[Annotation: Adaptive Reuse was Deleted as a Special Use by amendment 08-03, effective 2/29/08]

## **SECTION 1103                      DIMENSIONAL STANDARDS**

Within the R-4 District, the following dimensional standards shall apply to all uses, other than Manufactured Housing Communities:

- A. Parcel Area – No single family dwelling building or structure shall be established on any parcel less than six thousand (6,000) square feet in area. No duplex, multiple unit or commercial structure shall be established on any parcel less than ten thousand (10,000) square feet in area. For multiple unit buildings, in addition to a ten thousand (10,000) square feet in minimum parcel area, two thousand (2,000) square feet of parcel area shall be provided for each dwelling unit up to twenty (20) and two thousand five hundred (2,500) square feet of parcel area shall be provided for each additional dwelling unit in excess of twenty (20).
- B. Parcel Width – For a single family detached dwelling, the minimum parcel width shall be sixty (60) feet and for all other uses the minimum parcel width shall be eighty (80) feet.

- C. Yard and Setback Requirements - The following requirements shall apply to every parcel, building or structure.
1. Front Yard: The minimum setback shall not be less than fifteen (15) feet from front property line. In established neighborhoods, where a majority of the buildings do not meet the required front yard setback, the Administrator may establish an alternate setback, pursuant to [Section 502, G](#).
  2. Side Yards: The minimum width of either yard shall not be less than ten (10) feet. For accessory buildings, the minimum rear yard and side yard setback shall be three (3) feet;
  3. Rear Yard: The minimum setback shall not be less than ten (10) feet. For accessory buildings, the minimum rear yard and side yard setbacks shall be three (3) feet, excepting garages which front on a platted alley. Such garages shall be set back a minimum of twenty (20) feet from the property line on the opposite side of the alley, to provide a minimal turning radius for vehicles, but at no time shall the structure be closer than three (3) feet to the rear property line. The side yard for such garage shall be the same as for other accessory structures, as outlined above.
  4. Waterfront Yard: The minimum setback shall be not less than twenty (20) feet, provided such setback shall not apply to walkways, boat docks, boat slips, boat launches and boat houses. [Annotation: Section 1103.C.4 changed by amendment 07-07, effective 5/29/07]
- D. Dwelling Width: No dwelling shall be constructed in the R-4 District which is less than twenty (20) feet wide.
- E. Living Area: No dwelling unit shall be constructed in the R-4 District which has less than seven hundred fifty (750) square feet of living area.
- F. Lot Coverage: Not more than forty percent (40%) of the parcel area shall be covered by buildings.
- G. Height: The maximum height of principal buildings in the R-4 district shall be the lesser of thirty-five (35) feet or two and one-half (2½) stories. The maximum height of accessory buildings shall be eighteen (18) feet with side walls not to exceed twelve (12) feet in height.

## **SECTION 1104            MANUFACTURED HOUSING COMMUNITIES**

The R-4 Manufactured Housing Community District is intended to provide for the location and regulation of manufactured housing communities. It is intended that manufactured housing communities be provided with necessary community services in a setting that provides a high quality of life for residents and residential development standards consistent with all other residential districts in the City of Manistee. This district shall be located in areas where it will be compatible with adjacent land uses. It is further the intent of this district to prohibit office, business, commercial or industrial use of the land, and to prohibit any other use which would substantially interfere with development, or continued use, of the land for manufactured housing communities in the district. Determining the appropriate location for a manufactured housing community is a uniquely challenging task and may have a crucial impact on adjacent and surrounding land uses. A manufactured housing community contains specific site conditions unlike other types of residential development. Sites with an abundance of natural features such as forested areas, wetlands, and steep slopes and sites without the road and utility infrastructure to

support a high density living environment are not found to be suitable for the development of a manufactured housing community. In light of these parameters, the City has elected to allow this zoning district to “float” placing the responsibility for the site analysis on the applicant for the placement of the district. The City and residents shall rely on the Manistee Master Plan to determine future use and to judge and evaluate rezoning requests. Within the R-4 District, manufactured housing communities shall be governed by this Section, by the requirements of the Act 96 of the Public Acts of 1987, as amended and the standards set forth in the Rules and Regulations promulgated by the Manufactured Housing Commission, including Part 9, Community Construction. The intent of this Section is to provide for manufactured home development, of long-term duration of stay in areas which are developed in a manner which takes into account such special characteristics as locational needs, site layout and design, demand upon community services, and the relationship to and effect upon surrounding uses of land, and conformance to the City of Manistee Master Plan. All manufactured home developments shall comply with the applicable requirements of Public Act 96 of 1987, as amended. The controlling standards in this Section are not designed to generally exclude mobile homes of persons who engage in any aspect pertaining to the business of mobile homes or mobile home parks.

- A. Rezoning. Applications to amend this Zoning Ordinance to establish a Manufactured Housing Community district shall be processed in accord with [Article 28](#) hereof and shall be evaluated in accordance with the following standards:
1. Consistency with the Manistee Master Plan by location within the Medium or High Density Residential future land use designations.
  2. Availability of public water and wastewater service.
  3. Absence of significant areas of mature hardwood forests, significant areas of regulated wetlands and/or significant areas of slopes in excess of 10% on the proposed site.
  4. Location on a key street segment, as defined herein.
  5. Location within not more than one-half (½) mile of commercial land uses and community services such as schools and churches.
- B. Application Procedures. Pursuant to Section 11 of Act 96 of the Public Acts of 1987, as amended, and the rules promulgated thereunder, an application for the extension, alteration, or construction of a manufactured home development shall be accompanied by a preliminary plan of the proposed development and all permanent buildings indicating the proposed methods of compliance with these requirements. Said application, fees and preliminary plan shall meet the following requirements:
1. An application form shall be completed and fees paid in accordance with the fee schedule (as amended from time to time by resolution of the City Council) and 12 copies of the preliminary plan shall be submitted to the Zoning Administrator for distribution to the Planning Commission.
  2. The preliminary plan need not include detailed construction plans, but shall include the following materials:
    - a. The applicant's name, address and telephone number and the property owner's name, address and telephone number, if different than that of the applicant.
    - b. Notation of all federal, state and local permits required.
    - c. The location of the project including the permanent parcel number(s) of the property

upon which the project is proposed to be located.

- d. The layout of the project including an illustration of the internal roadway system proposed and typical homesite layout.
  - e. The general design of the proposed project including the proposed location and design of signs, trash receptacles, light fixtures and any accessory structures, open lands and recreation areas and accessory uses.
  - f. The location, spacing, type and size of proposed plant materials.
  - g. A general description of the proposed project including the number of homesites proposed, the anticipated phasing of project development and an indication of the number of homesites to be rented and the number to be sold, if any.
- C. Review Process. The Planning Commission shall review the submitted preliminary plan and render a decision to approve, approve with conditions or deny the preliminary plan. The Planning Commission shall approve the preliminary plan upon a finding that the proposed use will not, upon the facts known at the time of the submission of the site plan, cause undue hardship, or create unsafe or hazardous health or safety conditions to the general public. Not more than sixty (60) days following the receipt by the City of a complete application for preliminary plan approval, the Planning Commission shall approve, approve with conditions or modifications, or deny an application and preliminary plan pursuant to the Mobile Home Commission Act, the rules promulgated thereunder and this ordinance.
- Upon approval of the preliminary plan, the Zoning Administrator shall sign three (3) copies thereof. One (1) signed copy shall be made a part of the City's files, one (1) copy shall be forwarded to the Zoning Administrator for issuance of a Zoning Permit, and one (1) copy shall be returned to the applicant. Construction shall commence within five (5) years after the date of issuance of a construction permit by the Michigan Department of Consumer and Industry Services unless an extension has been granted by said Department. Amendments to the approved preliminary plan must be submitted to the Planning Commission for review and approval.
- D. Noncompliance. Any substantial noncompliance with the approved preliminary plan shall be reported to the Manufactured Housing Division of the Department of Consumer and Industry Services for remedy along with all pertaining evidence.
- E. Site Development Requirements. The site development requirements of the Manufactured Housing Commission, together with any other applicable requirements of the State of Michigan, Act 96 of 1987, as amended, shall be complied with. No manufactured housing community shall be maintained, operated, or conducted without an annual license from the Michigan Department of Consumer and Industry Services. An inspection of construction may be performed at any appropriate time, pursuant to 1987 PA 96, as amended (the Mobile Home Commission Act).
- F. Site Size: The minimum site size for a manufactured housing community shall be fifteen (15) acres.